

Remarks

Claims 1-7 and 10-11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Stern in view of Fujimoto. Stern discloses a hose for attaching an air mat to an air pump. The mat includes a rigid molded pad with a plurality of air holes through which air is emitted (Col. 2, ll. 4-7). The bubbling air mat in Stern is made of three sections 26, 28, and 30 (Col. 2, ll. 43-44) that are attached by four hoses 36, 36, 40, and 42, which deliver pressurized air. The primary focus of the Stern reference is the prevention of electrocution or shock by the use of check valves to prevent water from reaching the control unit (Col. 1, ll. 26-36 & 56-57). The Stern reference does not address any control system at all for the air pump.

Fujimoto discloses an air mattress that provides uniform massage treatment on a human body. The Fujimoto reference discloses a wiring cable 2 that is connected to the air-mattress (Col. 3, ll. 64-65). The arrangement in Fujimoto would not be acceptable for the claimed air bubble massage system. Fujimoto discloses an infrared remote control (not shown) that communicates with an optical receptor located on the operation part 23 that houses the blower. However, the operation part 23 is connected by a wiring cable 2 to the air-mat. In contrast, claim 1 specifies a remote control unit for communicating with the controller and **electrically isolated** from the controller power supply.

Applicants respectfully submit that there is no suggestion or motivation to combine the Stern reference with the Fujimoto reference. The Stern reference provides a rigid air mat that provides pressurized air through a plurality of air holes, while submerged underwater. The Fujimoto reference provides an air mattress massager having air bags within the air mattress that expand and contract to provide massage treatment to an operator lying upon the mattress. The air mattress of the Fujimoto reference would be dangerous if used in water or submerged in water. Further, the air bags of Fujimoto could not be combined with the rigid sections of the Stern reference.

The remote control in Fujimoto operates the controls of the air mattress. However, the Fujimoto reference remote control does not identify or address the problem of minimizing potential electrical shock hazard in water or to eliminating the need for a user to exit a bathtub to operate the pump control. Applicants' claimed invention specifically addresses and solves both problems.

With respect to claims 10 and 11, the Fujimoto reference does not teach or suggest a recess formed on the housing of an air pump to store the remote control or a bracket adapted to secure to a supporting surface to store the remote control as claimed in Applicants' claims 10 and 11, respectively. Fujimoto does not even illustrate a remote control, let alone a storage recess or bracket. Both the Fujimoto and Stern references are completely silent as to these features. Therefore, Applicants respectfully submit that there is no disclosure and no suggestion or motivation at all to combine the Stern reference with the Fujimoto reference to arrive at Applicants' claimed combination.

Claims 8-9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Stern and Fujimoto and further in view of Voorlas. Applicants' arguments above challenge the Examiner's *prima facie* obviousness position proposing to combine the Stern and Fujimoto references. The Examiner relies upon Voorlas as teaching the use of a flexible mat. Applicants respectfully submit that the Voorlas reference does not teach a mat "formed of flexible material that may be rolled-up for storage" as recited in Applicants' claim 8. The Voorlas reference provides a mat 11 "constructed with heavy gauge pure vinyl" (Col. 2, ll. 24-25) with a rigid forming ring 24 disposed adjacent the inside periphery of the mat (Col. 2, ll. 46-52). The Voorlas mat with the rigid forming ring teaches away from providing a mat that may be rolled up for storage as recited in claim 8.

Claims 12-13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Stern and Fujimoto and in further view of Kvalvik. Kvalvik does not address the deficiencies of Stern and Fujimoto noted above because it relates to a simple bathtub cushion without air bubbling or a remote control. Kvalvik is relied upon by the Examiner for its disclosure of


suction cups on the foam cushion. While Kvalvik does disclose removable suction cups, it fails to teach the claimed combination and is patentable for the same reasons addressed above with respect to claim 1.

Claims 14-25 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Voorlas in view of Schwertner. Examiner has conceded that the Voorlas reference does not show block/foam members.

Applicants respectfully submit that the Schwertner reference is not available as a prior art reference under 35 U.S.C. § 102. The Schwertner reference has a publication date of May 7, 2001. Applicants filing date is April 11, 2001. Therefore, the combination of Voorlas and Schwertner is improper.

Applicants have attempted to place this case in condition for allowance by the above remarks. Applicants respectfully request the Examiner to contact Applicants' undersigned attorney if would advance the prosecution of this application. Applicants respectfully request that the Examiner pass this case to issue.

Respectfully submitted,
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